



RIDING INTO DESTRUCTION

/ Abbie Darst, Program Coordinator

Too many riders – young and old – are dying or experiencing life-altering injuries from incidents involving all-terrain vehicles. From 2003 through 2006, Kentucky lost 142 individuals in ATV-related fatalities – a number that is too high and screams for action and change, according to Chris Lanham, Kentucky State Police public affairs officer at Post 7 in Richmond.

“We lose a lot of kids on four-wheelers in Kentucky,” he said. “You do have to treat [an ATV] with respect just like you would a motorcycle or a car, because you can get hurt pretty quickly on it.”

Officers from various agencies across the state deal with these wrecks when they happen.

“We usually have two or three big [accidents] per year,” said Lt. Richard Waite with the Kentucky Department of Fish and Wildlife Resources in Jackson County. “It usually takes two volunteer fire departments, EMS and everybody that you can find just to find whoever it is that’s wrecked and load them up and bring them to the ambulance, and that’s usually about a two- or three-hour shindig.”

As part of the efforts to change the injury and fatality rate in the commonwealth, Lanham and other KSP troopers have paired with the Kentucky Department of Agriculture to learn how to teach ATV riders to ride safely and reduce the risk of an accident. KSP assigned 18 troopers statewide to take the four-hour training at state police headquarters in Frankfort last November.

According to Lanham, education and awareness can be key in reducing injury and citation rates for ATV misuse and failure to comply with the law.

“It’s often irresponsibility on the part of the parents, which is something troopers face routinely,” he said.

▶ A Kentucky State Police trooper talks to a teen about all-terrain vehicle safety. Children under the age of 16 are required by law to wear helmets and protective gear when riding ATVs. Officers can write citations to the parents of under-age ATV users who are not in compliance with the law.

When Lanham or other troopers encounter someone under the age of 16 who is unsupervised and not wearing a helmet or other protective gear, they write tickets to the parents, keeping the parents accountable for the safety and well-being of their child.

“That has been one way to make the parents more responsible is to hit them in their pocket-book, because the fines are pretty steep,” Lanham said.

However, Lanham doesn’t always write a citation on a first-time offense. Instead he uses the incident as a mechanism to educate parents on what the law is regarding children under 16 and the proper protective equipment, giving them the opportunity to make necessary changes in their child’s riding habits. If he finds the same child committing the same offenses at a future date, then he writes a citation to the parents.

Kentucky’s ATV laws, laid out in KRS 189.515, stipulate that ATVs are not to be operated on

- public highways or roadways
 - private property without the consent of the landowner
 - public property without the consent of the governmental agency responsible for the property
- and that an ATV rider must
- ride with a helmet if under 16 years of age
 - ride under direct parental supervision
 - not ride an ATV with an engine size of 70 cubic centimeters displacement if under 12 years of age.

Though injuries and fatalities are a huge issue with ATV use in Kentucky, those are not the only problems law enforcement faces involving four-wheelers. Issues such as trespassing, criminal mischief, destruction of property and even DUIs pose challenges to law enforcement as well.

As stated in laws regarding ATV use, riders cannot operate four-wheelers on private property without the land owner’s permission, so trespassing becomes a very time-consuming offense for law enforcement. In addition to trespassing, individuals on ATVs can often cause property damage by knocking over fences, which may let livestock inside the fences loose,

and rutting out property causing serious erosion issues.

“For us, the ATV just happens to be the means that they’re doing whatever it is wrong,” Waite said. “If they’re poaching, they’re doing it on an ATV, if they’re trying to put out bait for wildlife, they’re doing it on an ATV. Every once in a while they’ve been known to grow some recreational agriculture off of an ATV.”

Unfortunately, because of the maneuverability of ATVs, often law enforcement officers cannot catch riders if they choose to leave the scene because their cruisers are not able to negotiate the rough terrain where most ATV activity occurs.

“We’d like to catch that person, but we don’t want to put anybody else at danger or destroy our equipment in the process,” Lanham said.

KDFWR officers have an advantage in this category because many of them drive trucks and SUVs instead of cruisers and the four-wheel drive capability allows them a little more off-road movement. However, even these vehicles cannot go everywhere an ATV can go.

For this reason, all KDFWR officers either have assigned to them or have access to an ATV in their area. They use them for various law enforcement activities such as checking deer hunters during deer-hunting season and looking for turkey-bait sites.

“It’s a lot easier to go out to the edge of an area and unload and just use an [ATV] instead of using a pickup truck where you have to drive down a forest service road and then back out, but on a four-wheeler you can just hit the trails and keep on going,” Waite said.

Likewise, KSP troopers use ATVs throughout the summer on marijuana eradication details in conjunction with the Kentucky National Guard. Anyone involved in those details has to go through the ATV-safety course offered by the KDA, Lanham said.

The increasing use of ATVs in Kentucky has played a major role in the service required of Kentucky’s law enforcement officers. Whether it’s fighting the rising number of injuries and fatalities associated with ATV use, combating other criminal mischief or using them for their own gain to get one step ahead of perpetrators, four-wheelers have definitely added a new dimension to the field of law enforcement. J

“You do have to treat [an ATV] with respect just like you would a motorcycle or a car, because you can get hurt pretty quickly on it.”

